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TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414				
EXAMINER ROBINSON, MYLES D				
ART UNIT		PAPER NUMBER		
2625				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/675,341

Applicant(s)

KUO ET AL.

Examiner

Myles D. Robinson

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 7, 9 - 16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 7, 9 - 16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 4/28/2008, and has been entered and made of record. Currently, **claims 1 – 7 and 9 – 18** are pending.

Response to Arguments

2. Applicant's arguments (*see Remarks 4/28/2008 [page 9, line 13 – page 10, line 7] and Interview Summary 4/16/2008*) with respect to the rejections of **claims 1 and 10** under 35 U.S.C. §102(b) and §102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of **Kageyama et al.** (U.S. Patent No. 7,092,117).

Drawings

3. The drawings were received on 4/28/2008. These drawings are acceptable.

Specification

4. The amendments to the specification were received on 4/28/2008. These amendments are acceptable.

Claim Objections

5. The following quotation of 37 CFR 1.75(a) is the basis of the objection:

- (a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

6. **Claims 1 – 7 and 9 – 18** are objected to under 37 CFR 1.75(a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Claims 1 and 10 recite the limitation "a displayed image from the associated display device" in lines 18 – 19 and 16 – 17, respectively, of these claim after the limitation "an image for display in an associated display device" was claimed in lines 15 – 16 and 13 – 14, respectively, of these claims. The applicant has failed to particularly point out and distinctly claim if the applicant is referring to **the same, instant** "displayed image" or **a unique and distinctly different** "displayed image" within these claims. All claims dependent upon these claims suffer the same deficiency and, therefore, are objected to as well.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Regarding **claim 5**, the phrases "adapted to" and "adapted for" render the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d), 2111.04.

Description of examples or preferences is properly set forth in the specification rather than in the claims. If stated in the claims, examples and preferences may lead to

confusion over the intended scope of a claim. See MPEP 2173.05(d).

The phrase "adapted to" or "adapted for" is language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure; therefore, it does not limit the scope of a claim or claim limitation. See MPEP 2106 II (c).

Where means plus function language is used to define the characteristics of a machine or manufacture invention, such language must be interpreted to read on only the structures or materials disclosed in the specification and "equivalents thereof" that correspond to the recited function. See MPEP 2106 II (c).

The Applicant discloses several preferred embodiments wherein the certain functions are carried out "by any suitable means" such that the claimed means cannot be clearly correlated to the elements set forth in the written description that perform the recited step or function (*see Specification [page 4, lines 18 – 19, 25 – 27, page 5, lines 7 – 11, 15 – 18, 24 – 26, page 6, lines 1 – 2 and 5 – 6]*).

All claims dependent upon these claims suffer the same deficiency and, therefore, are rejected as well.

Claim Rejections - 35 USC § 102

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
9. ***Claim 1 - 3, 5, 6, 9, 10 – 12, 14, 15 and 18*** are rejected under 35 U.S.C. 102(e) as being anticipated by **Kageyama et al.** (U.S. Patent No. 7,092,117).

Referring to **claim 1**, Kageyama discloses a system for storing of print job data comprising:

means for acquiring, into a controller of an associated rendering device, print job data representative of a desired print job (see Figs. 1 and 3 wherein printer 100 receives a PDL document from one of computers 310, 320, 330 and prints as instructed by application program section 3140 [column 2, line 66 – column 3, line 11 and [column 3, lines 23 – 28]], which print job data is comprised of a page description language format (see Fig. 16, PDL-format document 1630-1, 1640-1 [column 3, lines 50 – 55 and column 4, lines 39 – 56]) associated with a selected printer device (see Fig. 1, printer 100 [column 2, lines 44 – 55]),

converting means associated with the controller for converting acquired print job data into bitmapped image data (see Fig. 3, printer logical driver section 3130 [column 3, lines 29 – 36] wherein dot image data is analogous to bitmapped image data),

means for generating a printout from the rendering device in accordance with an output of the controller (see Fig. 2, printer engine 500 [column 2, lines 44 – 55]),

storage means for selectively storing the print job data in the page description format in a selected storage location of the controller (see Figs. 2 and 5 wherein archive 2200 stores PDL-format documents 1640-1, 2211-a, 2212-a, 2213-a, 2215-a, 2216-a [column 3, lines 37 – 41, column 4, lines 28 – 44 and column 5, lines 1 – 43]),

means for acquiring print status information including data representative of a name associated with the print job data and data representative of a size of the print job data (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays

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the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4]),

the storage means including means for selectively storing the print status information associatively with the print job data (see Fig. 5 wherein each document is registered in archive 2220 along with its associated job ticket [column 5, lines 25 – 43 and column 9, lines 7 – 13]),

means for selectively communicating the print job data to generate an image for display in an associated display device, the print job data corresponding to the print job data stored in the page description format in the storage location (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4]),

means for receiving selection data in accordance with a displayed image from the associated display device, which selection data includes an instruction to commence at least a second rendering of associated print job information stored in the page description format (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4] and wherein print, storage, and storage and print requests are issued from archive management instruction section 3170 of computer 300 to the archive management service section 2230 of printer controller 200 such that archive

management instruction section 3170 instructs archive management section 2230 in the printer controller 200 to print the documents already stored therein [column 3, line 65 – column 4, line 3 and column 9, lines 7 – 29]]₁

the converting means including means for completing a second conversion of the print job information stored in the page description format to the bitmapped image data (see Figs. 2 and 6, document format conversion section 2700 comprising PDL format conversion section 2710 and image format conversion section 2720 [column 19, lines 31 – 47 and column 19, line 60 – column 20, line 17]]₁ and

means for selectively communicating the bitmapped image data of the second conversion of print job data to the selected printer device to obtain a printout thereof (see Figs. 10 – 12 wherein computer 300 provides a user interface which displays the names and sizes associated with print jobs registered in archive 2200 [column 3, line 65 – column 4, line 16, column 9, lines 7 – 13 and column 9, line 65 – column 10, line 4] wherein print, storage, and storage and print requests are issued from archive management instruction section 3170 of computer 300 to the archive management service section 2230 of printer controller 200 such that archive management instruction section 3170 instructs archive management section 2230 in the printer controller 200 to print the documents already stored therein [column 3, line 65 – column 4, line 3 and column 9, lines 7 – 29] and see Figs. 22 – 23 [column 26, lines 38 – 45]).

Referring to **claim 2**, Kageyama discloses the system further wherein the storage means comprise multiple storage locations for storing the print job data (see Fig. 5 wherein each document i ($i = 1, 2, \dots, N$) is stored in archive 2200 [column 5, lines 18 –

29] and see Figs. 10 – 12 wherein archive 2200 is divided into hierarchical folders [column 4, lines 4 – 16]).

Referring to **claim 3**, Kageyama discloses the system further comprising selection means for selecting the storage location to store the print job data (see Figs. 10 – 12 [column 3, lines 39 – 41, column 3, line 65 – column 16 and column 5, lines 1 – 6]).

Referring to **claim 5**, Kageyama discloses the system further wherein the selection means includes:

means for prompting an associated user for selection data to select a storage location to store print job data associated with the user (see Fig. 9 [column 3, lines 39 – 41 and column 4, lines 22 – 44]),

means adapted for receiving user selection data resultant from a prompt of the user for the storage location to store print job data associated with the user (see Figs. 10 – 12 [column 3, line 65 – column 4, line 16]), and

means adapted for storing the print job data in the storage location in accordance with the user selection data (see Figs. 5, 16 and 17 [column 3, lines 39 – 41 and column 4, lines 22 – 44]).

Referring to **claim 6**, Kageyama discloses the system further comprising means for selecting parameters for the desired print job (see Fig. 5 wherein job tickets are parameters entered by the user for each print job [column 5, lines 25 – 29 and 55 – 65]).

Referring to **claim 9**, Kageyama discloses the system further comprising means for performing raster image processing on the print job (*see Figs. 2, 6 and 17, automatic page/document layout section 2810 [column 5, line 55 – column 6, line 5]*).

Referring to **claims 10 – 12, 14, 15 and 18**, the rationale provided in the rejections of claims 1 – 3, 5, 6 and 9, respectively, are incorporated herein. In addition, the systems of claims 1 – 3, 5, 6 and 9 perform the methods of claims 10 – 12, 14, 15 and 18, respectively.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 4, 7, 13 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kageyama et al.** (U.S. Patent No. 7,092,117) in view of **Rosekrans et al.** (U.S. Patent No. 5,450,571).

Referring to **claim 4**, Kageyama discloses the system as discussed above in the rejection of claim 3 but does not explicitly disclose the system further wherein the selection means comprise means for storing selection data which pre-authorizes selection of a specified storage location for storing print job data.

Rosekrans discloses the system wherein the selection means comprise means for storing selection data which pre-authorizes selection of a specified storage location

for storing print job data (*see Fig. 6 wherein validation 64 authorizes print program selections prior to sending out the print request, or in other words, before documents 45 are sent to its selected print queue 2 within job ticket 5 [column 6, lines 42 – 52] in which validation is completed prior to the normal stage of document 45 within document directory 70 [column 6, lines 4 – 8]*).

Kageyama and Rosekrans are combinable because they are from the same field of endeavor, being print job programming using job tickets in digital printing systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include authorize, or verify, print parameter selections prior to storing and executing print jobs. The suggestion/motivation for doing so would have been to preventing the user from selecting print options which are impossible for the printer to perform, as suggested by Rosekrans (*column 1, lines 24 – 41, column 2, lines 57 – 62 and column 6, lines 42 – 62*).

Referring to **claim 7**, Kageyama discloses the system further wherein the parameters which are selected include finishing options (*see Figs. 2, 4 and 6, print control section 2510, engine/finisher control section 430, finisher 510 [column 13, lines 26 – 30 and 56 – 60]*) but does not explicitly disclose the system further wherein the parameters which are selected include number of copies, finishing options, and merging of two print jobs.

Rosekrans discloses the system wherein the parameters which are selected include number of copies, finishing options, and merging of two print jobs (*see Figs. 3*

and 5, job ticket 35 [column 3, lines 32 – 37, 62 – 68, column 4, lines 12 – 19 and 53 – 62]).

Kageyama and Rosekrans are combinable because they are from the same field of endeavor, being print job programming using job tickets in digital printing systems. At the time of the invention, it would have been obvious to one of ordinary skill in the art to include programming a print job using a job ticket displayed on a user interface along with printing systems. The suggestion/motivation for doing so would have been to easily allow the user to select from the menu of options in the job ticket displayed on the screen the choices which he/she desires as well as easily discern those options which are not available, as suggested by Rosekrans (*column 1, lines 24 – 41, column 2, lines 57 – 62 and column 6, lines 53 – 62*).

Referring to **claims 13 and 16**, the rationale provided in the rejections of claims 4 and 7, respectively, are incorporated herein. In addition, the systems of claims 4 and 7 perform the methods of claims 13 and 16, respectively.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571)272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Myles D. Robinson/
Examiner, Art Unit 2625
7/22/08

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625